





Human Rights and Human Races.

MR. BALDWIN, OF MASSACHUSETTS,

IN REPLY TO

Hon. James Brooks, of New York, on the Negro Race.

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The House of Representatives being in the Committee of the Whole on the state of the Union, January 11, 1868—

Mr. BALDWIN said:

Mr. CHAIRMAN: The other day I listened with attention to the speech of the gentleman from New York [Mr. Brooks] on the negro and the influence of the negro race. I admired his eloquence and his genius for romance; but I saw with irrepressible wonder the audacity with which he challenged the light of this nineteenth century and defied the influence of modern civilization.

The doctrines he put forth brought to mind those geological formations in which are preserved the fossil remains of strange and monstrous creatures that once had life, but lived so far away in the depths of geological antiquity that we cannot even think with steady nerves of the distance between their age and ours. For a moment the gentleman's voice seemed to have magnetized those old fossils and brought them forth from the rocks until troops of ugly things from the mysterious Silurian ages, revived to an hour of life, were crawling about this Hall and repeating the cries of primeval savagery which they called music.

This illusion, however, was soon dispelled by the conviction that I was accusing ancient times unjustly. In such records of antiquity as remain for our perusal there is no account of any age or of any people where doctrines so revolting to reason and justice found hospitality. Some of the ancients, whose poetry was better than their geography, and whose aptitude for romance was greater than their knowledge of unvisited and uncomprehended countries, were accustomed to spread a veil of mystery over some distant lands and people them with anthropophagi—one-eyed giants—and other inhuman creations of fancy. But they never denied the human nature of men actually under their observation. Even those described by their prejudices as "outside barbarians" were men like themselves, though not of their own select community. It never occurred to them to deny the identity of human nature in all races and all peoples. It was left for North American slavery to produce this remarkable blossom of ethnology, which, having perfumed so many funeral orations on the dead barbarian, will, of course, be used as a device for its tomb. And how appropriate, if the gentleman from New York shall be engaged to write under it this epitaph:

"Our lord and master, buried here, taught us that

the negro, brother of the gorilla, has no rights that the white men are bound to respect."

The most striking characteristic of the gentleman's argument appears in the facility with which it uses false assumptions as facts, and thus fails to meet the questions actually before the country.

1. In the first place, it seems necessary to remind the gentleman that the question presented in this discussion is not one concerning the equality or inequality of human races, nor of different classes and families in the same race. No, Mr. Chairman; it is a question concerning human rights. It calls on us to decide whether men shall be equal before the law and in their relations to the Government of their country. It requires us to consider and to say in our legislation whether rights are the exclusive inheritance of particular races and classes, or whether they belong equally to all men. In some other respects men differ. They are not all wise and good. Some are ignorant; others are enlightened. They differ in natural gifts, in acquisitions, in social conditions, and in their uses of life. Every civilized community is a mosaic in which these differences are represented. Our political fathers, in the great Declaration, do not say or mean that all men are equal to Shakespeare in poetic genius; but they do mean and say that the most imperial intellect has no more rights before the law than the humblest. It is this question of rights that we have under consideration, and the gentleman's argument must not put it aside.

2. In the second place, it seems necessary to remind him that we are not now considering the policy of importing Africans into the United States to become a part of our population. This is no longer an open question. They have already been brought into the country. They are here, and they have been here since the time of the first English settlements. No man on this side of the question we discuss will bless that day in 1620—a dark day in our colonial history—when a Dutch man-of-war began the importation by landing African slaves at Jamestown. Nevertheless, they are here. With blood no longer entirely African, and generally with no resemblance to that masterpiece of genius, the gentleman's portrait of the "Congo negro," they are now as much a part of the native population of the country as any portion of the Anglo-Saxon race. It is a fact accomplished; and the question is, how shall we deal with it? And yet everything in the gentleman's argument assumes, or is baseless without the assumption, that people of the African race are now for the first

time to be brought into such association with the white race of the country as makes possible the depraving consequences of miscegenation, which endanger society.

3. But, in the third place, the most audacious assumption of his argument is that which finds the danger of a degrading mixture of races, and along with it social and national ruin, in justice to the negro race—and not in that relation of the races created by the oppressions and degradations of the slave system—in that policy which respects the negro's rights, trains him to self-respect, and elevates him to a higher condition of intelligence and manly character, and not in that which degrades him, takes away his rights, and makes him the prey of every form of lawless passion. And yet the gentleman cannot be unaware (although his argument forgets it) that, so far as experience and the lessons of history go, whatever danger of debasement to either race there may be in the presence of that race here, with no other country but this, lies wholly in the policy he would establish, whether it be to restore slavery or to hold the colored people imprisoned in society as serfs and helots, which means the same thing. The gentleman is bold—bold enough to think he may scare men from doing justice by portraying the consequences of injustice and hinder admiration for equality before the law by pointing out the ruinous consequences of oppression; but I think he is not bold enough to deny the fatal facility with which the mixture of races goes on under the slave system, where the lawless and base find crime made easy and are secured against many of its inconveniences; nor to call in question the fact that oppression endangers society by degrading both the oppressor and his victim.

Let the gentleman come back to the questions under consideration and give his attention to the fact that we propose to fling into the rubbish of the ages the doctrines, policy, and machinery of oppression, and try what virtue there is in our national faith in human rights—a faith inherited from the fathers, but which we have not fully realized in our institutions.

Some gentlemen talk on the subject as if this comprehensive faith in human rights were new; as if it were something unprecedented in human thought. The doctrine that human rights are the birth-right of human nature is as old as the warfare of liberty and equality against the party of caste and privilege. It is not long since it was held by the ruling class everywhere that the world belonged to monarchs and aristocrats, and that the great mass of mankind, without distinction of race or color, existed only for their use and support. The privileged few held the people as slaves, serfs, or base-born subjects, with no fitness for political rights, and no claim to relief from the despotism of hereditary masters. But the protests of human nature and the divine ideas that direct the influence of modern civilization have wrought a change and extended the recognition of human rights. In Europe serfdom has disappeared; the prestige of hereditary despotism is departing; the people are rising and becoming a power that makes thrones tremble, shakes the foundation of arrogant aristocracies, and fills the circles of privilege with dismay.

Undoubtedly it seems to defenders of hereditary usurpation very terrible to see the low-born mass of

mankind, not only demanding their rights, but actually coming into power, and preparing a new political condition of the world, where, in the coming ages, the old doctrines and machinery of oppression will be studied only as moldering relics, momentoes of an age that cannot return. Even the ruling aristocracy of Great Britain, the most arrogant ruling class in Europe, standing in their power above the throne itself, shudder at the terrible earnestness with which their hereditary prerogatives are assailed; while the crown itself is beginning to be discussed as a worthless bauble, by that growing popular agitation, that uprising of the people, which will have manhood suffrage and political equality or revolution.

The gentleman from New York is an accomplished master of rhetoric; but in his most scornful utterances of loathing and contempt for those whose rights he would trample under foot, he cannot exceed the expression of scorn which British Tories have always bestowed upon the plebeian millions of British subjects whom they have excluded from political rights and trodden into the dust. Nevertheless he establishes the right to be classed as their political brother; but in this Republic and in presence of our national ideas his method of inculcating the doctrines of class-privilege and despotism is necessarily different. There are men on his side of the question who have so unlearned reverence for republican institutions and ideas as to talk of them with disgust and sigh for a monarchy with orders of hereditary nobility. These men are consistent. Their transformation is the logical result of their doctrines. But he takes another course. Thinking of his constituents and of his own accustomed views of republicanism he does not allow himself to talk of excluding from political rights even the most ignorant and brutal white man. If he should propose to guard the ballot by some exclusion of ignorance or baseness, made without regard to race or class, candid men would listen to him and discuss that proposition. But with him white men are the privileged class, endowed with divine right to scorn and oppress the African race; and to justify this denial of rights he goes further, and denies that negroes belong in the same way as white men to the human race, associating them rather with the orang, the chimpanzee, and the gorilla.

The men who fought the battles of the Revolution and laid the foundations of this Republic would have spurned this atrocious doctrine with horror, as an ugly thing from the pit of darkness. Mr. Chairman, recall for a moment that august assembly of the fathers who framed and put forth the great Declaration of Independence. Those were men whose memory comes to our thoughts associated with the influence of all that is bright and grand in nature; with everything that inspires joy, faith, courage, and aspiration; in all that constitutes the noblest manhood those were men of lordly stature. They were great in character, great in ideas, great in their dauntless faith in human rights. Imagine the gentleman from New York in that assembly at the moment of its gravest deliberation, when every heart thrilled with the purpose to have liberty or death; imagine him there, moving to amend the first line of the Declaration by inserting the word "white" before "men," and then proceeding to deliver



his speech on the negro! Oh, we can imagine a fallen angel breaking in upon the worship of Paradise! If he could have been there to make that attempt, sudden lightning from the eyes around him would have struck him speechless and paralyzed the blood in his veins.

There is no other calumny so black with falsehood or that so completely beggars expression in the attempt to describe it, as that which has sought to make the fathers responsible for the doctrine that "negroes have no rights white men are bound to respect." They studied the negro race quite as thoughtfully as the gentleman from New York. Moreover, the blood of the race at that time was more purely African than now, which, on the principles he assumes, made the case against the negro much stronger. Nevertheless, in their view the colored people of the nation, both slave and free, belonged to the human race and had human rights. They held that slavery violated these rights, and they expected to see it disappear, to fade away, as one speaker said in the Convention, "until it should not be seen even as a speck on the land." They ordained its exclusion from the Territories, and would not allow the word slave to be written in the Federal Constitution. They held that free colored men, like free white men, were citizens; and in nearly all the States free colored men were allowed to vote. The men of that age had eyes to see the identity of human nature in all races, and they would not allow it to be denied either in their speech or their political creeds. Southern feeling on this question of human rights at a later period was expressed in this House by John Randolph of Roanoke, when he said with magnetic earnestness—

"I envy neither the head nor the heart of that Northern man who can defend slavery on principle."

And Thomas Jefferson! Who that has read in his Notes on Virginia the passages concerning slavery has failed to be impressed by the earnestness of his conviction that slavery was a violation of human rights, of the rights not only of men, but of "citizens," as he expresses it in one paragraph. He says:

"With what execrations should the statesman be loaded who, permitting one half of the citizens to trample on the rights of the other, transforms those into despots and these into enemies; destroys the morals of the one part and the *amor patriæ* of the other."

Again:

"Can the liberties of a nation be thought secure—when we have removed their only firm basis—a conviction in the minds of the people that these liberties are the gift of God; that they are not to be violated but with his wrath? Indeed, I tremble for my country when I reflect that God is just; that His justice cannot sleep forever."

Jefferson trembled to see human nature violated in the negro race. The gentleman from New York trembles to hear that the negro has a proper human nature. Jefferson trembled to see the God-given rights of man struck down in that race by the slave system. The gentleman from New York shudders to hear us maintain that negroes have such rights. Jefferson trembled to see the basis of liberty undermined and the wrath of Heaven provoked by removing from the minds of the people the conviction that the human rights of the African, like those of the Anglo-Saxon, are God-given rights. The gentleman from New York trem-

bles at the mention of such a conviction; talks as if it were the arch enemy of civilization; and he would exterminate it utterly.

There is a wide difference between these two. It is the whole difference between right and wrong; or, which is the same thing, between the reverent justice of a genuine Democrat in thought and feeling and the stubborn unreason he strives to overcome. There is a great lesson here, a "lesson for the day," and whoever studies it carefully will see the immeasurable distance between Thomas Jefferson and certain Democrats of our time by whom he is feloniously claimed as their political father.

The gentleman warned us, with Cassandra-like earnestness, against influences—always from the negro race—that have ruined other peoples, and may ruin us. It is patriotic to watch and guard against danger to the nation with a sensitiveness that can feel the first touch of its influence. Has he always performed this duty with fidelity? Can he point out any other influence so deadly in its assaults on the Republic as that which, after the fathers had passed away, made slavery a political power, and worked like the serpent in paradise to bring the whole Republic to swear by its teachings and worship its image? It came upon the mind and heart of the country like a pestilence walking in darkness. It transformed thought, feeling, and doctrine, until a nation, claiming to represent the communities in which they lived, and shouted with passionate arrogance that the old doctrines were false, and that the slave power should rule the nation or ruin it. Here was a danger to engage the deepest anxiety of patriotism. And where were those whose partisan zeal now wails so eloquently over imagined disasters to flow from justice to the African race? Were they alarmed by this great danger to the country—this audacious invasion of its ideas and institutions? No, Mr. Chairman; they were bending low in servility to the barbarism that sought to be king; they were breaking down the old purpose to exclude slavery from the Territories; they were putting the word "white" into their State constitutions; they were howling curses at honest men who dared to point out the danger and denounce the cause of it. And at length, when the slave power's "confederacy" of treason appeared in arms to revolutionize the Republic or destroy it, some of these men maintained allegiance to its leaders by opposing, denouncing, and seeking to battle measures employed by the Government to crush this rebellion. Was this patriotic concern for the welfare of the country? And now, as it to show how profoundly and ineradicably they had suffered, not a

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Into some thing rich and strange"—

but such a transformation as nothing but the slave power and partisan passion combined was able to produce, they work on in the same service, seeking to rebuild their old political temple on the old foundations, by appealing to prejudice, stupidity, madness, and the whole heartless and brainless tribe of unreason, against measures that aim to guard the country against its destroyers, by affirming the atrocity of treason, the divinity of justice, and the sacredness of human rights.

It is quite possible that we shall find it necessary to

revise our conception of what constitutes the superiority of a race. Great force, aided by the most terrible engines of war, may sweep through the world irresistibly, conquering, ravaging, inspiring dread, and subjugating weak peoples to its domination. It has done so in all ages of which we have any account. It has made itself the theme of song and romance, and regulated the method of history. But is this really the highest, the most admirable development of human nature? Our civilization is already convincing us that it is not. The forces that are elevating the great mass of mankind in civilized nations from serfdom and vassalage to a richer and more enlightened condition of social and domestic life, the growth and varied development of industry and the arts of peace among the many, and countless influences growing out of that enfranchisement of the people, which is extending the great possibilities of civilization from the privileged few to the "plebeian" millions, are beginning to show us that the highest beauty of human development is not that which creates mighty conquerors and makes the earth tremble beneath the tramp of war, or that takes any form merely to dazzle or astonish. There is something nobler than guins for directing the movements of all-conquering power; something more divine than the resistless sway of force over weak peoples; something that more fully develops beauty and delight in human relationships; something more richly fraught with blessings that increase the possibilities and heighten the charms of human life; something that will necessarily revise our conceptions of what is superior in peoples and races.

It is quite possible that on considering the matter more carefully we may discover that each race and each distinct family of mankind has some peculiar gift of its own in which it is superior to others; and that the all-wise Creator may have designed that each race and family shall bring its own peculiar contribution to the final completeness of civilization, the full-orbed and all-comprehending development of the race. A race or family is not necessarily inferior to others because it comes into the history of civilization latest, nor superior to others because it appears there first. Our race was preceded in development by others; and it was in times quite modern that our own family of the race took its place among the foremost. Germany, the old home of the Teutonic and Anglo-Saxon, had nothing very lovely to civilized men even in the time of Tacitus; and a few centuries earlier some civilized orator of Africa or Asia may have asked, with arrogant scorn, "Of what use to the world are these barbarous and beastly Germans and Anglo-Saxons, who have never astonished the world with creations of genius; who have never produced a Homer, a Phidias, a Hannibal, an Alexander, nor even a great mechanic; who have never made discoveries in astronomy, nor even constructed palatial edifices like the temple of Hera at Samos, the royal palace at Babylon, or the marvelous structures of ancient Egypt." But our time came at last, and that orator's scorn is not likely to be repeated. We have not yet equalled the architecture of antiquity, but evidently we have a higher mission. By means of the wonderful force, energy, and activity of our race we are bringing together "the ends of the earth" and establishing intercourse and the feeling of neighborhood between isolated peoples. We are bringing all the races and peoples of mankind to that condition of mutual intercourse and appreciation where the old feelings of scorn and hate and the old talk of "natural enemies" and "outcast barbarians" will at length give way to the feeling of human brotherhood, and allow the races and families of man to assume harmonious relations and play connected parts in the grand work of giving the race complete development.

It is also quite possible that if the gentleman from New York will bring to the discussion of this subject less scornful prejudice, less sympathy with the barbarisms of thought and feeling generated by the slave system, less haste to trample out the rights of a race

deemed inferior, and more reflection on the duty of the wise and strong to the weak, he may discover that his treatment of the negro race in that speech is unworthy of any man who claims to share the spirit of an elevated civilization.

The claims of that race, as a part of the native population of the country, should engage the most candid consideration of all wise and good men. It is unpatriotic, it is wicked, to embarrass it with the influence of partisan prejudice or of reckless partisan ambition. This obstruction, however, may be inevitable. It may be that everywhere on this earth and in every age, the great triumphs of justice must be great victories won in long and obstinate battles with unreason. But our experience should make us wise and move every good citizen to support the endeavor to return to the doctrines of the fathers.

Both duty and interest require this policy; and they have heightened their claim upon the Government and people of the country: first, by their bearing toward the Government and by their unflinching friendship for the Union cause during the late rebellion; and second, by their sagacity and good conduct in using the liberties already accorded to them.

Jefferson doubted whether a slave could regard as his country the land where he was born to live and labor for another. The doubt was very natural; but during the late struggle with rebellion the slave population of the country felt as deeply as others that this was their country, and they took the side of the Government with abiding hope in its justice. They could see what the struggle involved, and they comprehended clearly that the triumph of the Government would be the triumph of liberty. And now, shall we deny the rights of these men, tell them that this is the white man's country, where they can have neither country nor rights, and, like the gentleman from New York, turn them over to as a relation with the gorilla? Mr. Chairman, have we no faith in God; no thought of those divine laws that regulate for nations the issues of life and death?

But the highest reason for recognizing and protecting the human rights of this race, the reason that comprehends every other, is pointed out in these words of Jefferson:

"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God?"

Every system of despotism assumes that the people have no rights save those the despots may graciously accord, and these only so long as the despots may see fit to allow. This Republic was founded on the belief that human rights, or, in Jefferson's phrase, human "liberties," are the God-given birthright of every man that lives; and the only effectual safeguard of free institutions is an all-overriding reverence for personal rights, that feels as a crime that must not be tolerated any invasion of the rights of the humblest man—any attempt to shut him out from equality before the law.

We cannot live by the doctrine that only privileged classes and races have rights to be respected. We must have in the minds of the people, in our institutions, in our laws, in the whole administration of our Government, the sacredly-cherished conviction that human rights are God-given rights, to be protected and held in perpetual reverence. The Republic cannot live under the influence of infidelity to the faith in which it was founded. This, in itself, is a sufficient reply to the gentleman from New York, and to all others who favor his doctrine and policy. The Republic cannot live under such injustice as they propose. The sure fruit of such wrong is a curse which no talk of inferior races and no lordly scorn of the negro race can prevent. We have felt it; we have seen it debauch patriotism; we have seen it breed treason; we have seen it darken the land with the fury of war; and how can any man who loves his country be willing to repeat the experiment in any form?



